

REMARKS

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

In the Office Action dated June 20, 2008, the Office indicates that currently pending claims 16, 17, and 22-26 are drawn to Group IV, which was withdrawn from consideration. Thus, in this Office Action, it was indicated that the amendment filed on February 8, 2008 was non-responsive.

In response, the claims have been amended to recite Group III, which was elected.

Support for such amendments can be found in the claims as filed.

Claim 26 is cancelled without prejudice or disclaimer thereto.

No new matter has been added by these amendments.

In regard to the objections and rejections of record, Applicants note such have been fully addressed in the reply of February 8, 2008. The reply of February 8, 2008 is incorporated herein. However, in reply to the enablement rejection of claims 16 and 17 under 35 U.S.C. § 112, first paragraph, Applicants note the following with regard to the newly amended claims.

Claim 16, the only remaining independent claim, is directed towards a method for measuring a processing ability of a certain cell comprising introducing a protein comprising a secretory *Cypridina noctiluca* luciferase, a processing cleavage region, and a yellow fluorescent protein. Applicants note that such claim therefore is directed towards a small genus of monitor proteins. It is therefore respectfully submitted that a person of skill in the art could introduce such small genus of proteins into a cell based on the teachings in the specification and the knowledge in the art, without undue experimentation.

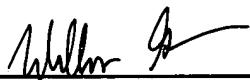
Thus, this rejection is untenable and should be withdrawn.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and early notice to that effect is hereby requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

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